

Selectmen's Meeting – July 11, 2005

Mr. Silvia, Mr. Eckenreiter and Mr. Manzone were present.

Also in attendance was Jeffrey Osuch.

Mr. Silvia called the meeting to order at 6:30 p.m.

Mr. Manzone motioned to approve the minutes of June 20, 2005. Mr. Eckenreiter seconded. Vote was unanimous.

Mr. Manzone motioned to approve the minutes of June 27, 2005. Mr. Eckenreiter seconded. Vote was unanimous.

Mr. Manzone motioned to approve the minutes of the June 27, 2005 executive session. Mr. Silvia seconded. It was so voted. Mr. Eckenreiter abstained.

Mr. Manzone motioned to approve the minutes of the July 5, 2005. Mr. Silvia seconded. It was so voted. Mr. Eckenreiter abstained.

CLASS II CAR DEALER LICENSE HEARING VALERO

Class II Car Dealer License hearing was scheduled for 7:00 p.m. to act on the application submitted by Sarkis Company, Inc. d/b/a Fairhaven Valero, 130 Huttleston Avenue. Mr. and Mrs. Sarkis were in attendance. Mr. Silvia read the memo from the Town Planner. (See attached.) Discussion followed. Mr. Eckenreiter motioned to grant the License with the recommendations outlined in the Town Planner's memo, to place "greenery" in front of the station on Route 6 and to submit an updated plan showing the recommendations made by the Planner. Mr. Manzone seconded. Vote was unanimous. License is for five (5) cars.

DIRECTOR OF FINANCE/TREASURER

John Nunes explained the foreclosure and auction process for land of low value. The Department of Revenue considers land valued under \$15,000. to be of low value. Land valued in excess of \$15,000. must be petitioned in land court. Discussion ensued. Mr. Eckenreiter requested the Board of Selectmen and other Town boards be advised when land is foreclosed on and before an auction is scheduled.

Mr. Silvia read the memo from the Director of Finance requesting authorization to make the final FY 05 Regional Water District Payment. (See attached.) Mr. Manzone motioned to approve the request. Mr. Eckenreiter seconded. Vote was unanimous.

Selectmen's Meeting – July 11, 2005

Town of Fairhaven Financial Statement prepared by Cicoria & Company, Certified Public Accountants, for FY ending June 30, 2004 was reviewed with the Director of Finance/Treasurer.

EXECUTIVE SECRETARY'S REPORT

Cable Television meeting with department heads and Attorney William Solomon is scheduled for July 12th at 10:00 a.m. at the Town Hall.

Mattapoissett River Valley Water District will meet on July 12th at 4:30 p.m. at the Board of Public Works.

SRPEDD will discuss "Smart Growth" at a meeting on July 13th from 9:00 to 11:00 a.m. at the Middleboro Town Hall.

Homeland Security will meet on July 14th at 2:00 p.m. at the Town Hall.

Mr. Osuch and Mr. Nunes will attend a meeting of the School Building Assistance Board in Boston on July 18th regarding the East Fairhaven School Project.

Buzzards Bay Action Committee will meet at noon on July 20th at the Wareham Town Hall.

Representatives from the State will be in Fairhaven on July 20th to discuss the dredging of the channel at Hoppy's Landing.

Massachusetts Technology Collaborative submitted the "Fairhaven Wind Turbine Feasibility Study". The Board will review the information.

Stacy Greenlinger from the EPA reported demolition of the Atlas Tack Building will begin on July 13th. Public informational meetings are scheduled for Thursday, July 21st and Thursday, August 18th at 7:00 p.m. on the bike path at Tripp Street. In the event of rain, the meetings will be held at the Town Hall.

BUILDING DEPARTMENT

Construction Report for June 2004 will be placed on file.

Mr. Silvia read the memo from the Board of Public Works regarding the EMA Trailer at the landfill site. (See attached.) EMA will be asked to inform the Board of Selectmen of their intentions for use of the trailer.

Selectmen's Meeting – July 11, 2005

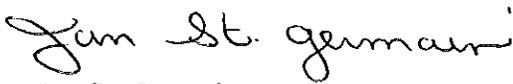
OTHER MATTERS

Mr. Eckenreiter said he visited Washington, D.C. during the week of July 4th and this was his first visit to Washington as a Viet Nam Veteran. He visited Arlington National Cemetery and the Iwo Jima Memorial.

Mr. Eckenreiter stated he does not believe elected officials should serve on boards/committees and he will resign from the Board of Appeals.

EXECUTIVE SESSION

At 8:00 p.m., Mr. Manzone motioned to go into executive session to discuss Union Wharf Qualifications, the Shellfish Warden Job description, the part-time appointment to the Board of Assessors, Police Union Arbitration and not to reconvene in open session. Mr. Eckenreiter seconded. Vote was unanimous. Roll call vote 3-0.



Jan St. Germain
Secretary



Town of Fairhaven
Department of Planning and Economic Development
Town Hall 40 Center Street Fairhaven, MA 02719 508-979-4082

Memorandum

Date: July 6, 2005
To: Board of Selectmen
From: William D. Roth, Jr., AICP 
Planning and Economic Development Director
RE: Valero – Class II Car Dealer License

RECEIVED
2005 JUL -6 P 1:04
BOARD OF SELECTMEN
FAIRHAVEN MASS

The department has reviewed the above referenced application and recommends that the plan be revised so as to comply with the zoning bylaw.

- The proposed display spaces do not meet the 6-foot side and rear yard setbacks and the 20-foot front yard setback, per Ch.198-27.C.4.(a & b). Please note that this cannot be considered a “Grandfathered Use” because the car dealer use would be considered a new use and have to meet current standards.
- The plan should be revised to illustrate the 20-foot front yard setback and the 6-foot rear yard setback.
- To accommodate the 6-foot side yard setback, it is recommended that the applicant install wheel stops 6-feet from the property line. This will meet the intent of the bylaw and protect the neighbor from having cars overhanging onto his/her property.
- The applicant may want to revise the plan to illustrate the display spaces as 8' x 18'. This will give him some of the footage needed to meet the setbacks. However, the department feels that once the setbacks are applied, the number of display spaces that fit will be five.

In summery, this property is a non-conforming parcel in size and the site layout appears to not meet most of the development standard of the zoning bylaw. It provides minimal stacking area for the fueling of vehicles and minimal safe and efficient site circulation. Modifying the plan as mentioned above would help bring the site towards conformance, help protect the neighbor and will determine what the actual number of display spaces the site can accommodate.



JOHN L. NUNES, CMMT
Director of Finance/Treasurer

TOWN OF
FAIRHAVEN
MASSACHUSETTS
THE FRIENDLY TOWN

8A.

**OFFICE OF
DIRECTOR OF FINANCE/
TREASURER**
TOWN HALL
TELEPHONE (508) 979-4026

7/6/2005

To: Board of Selectmen

From: John L. Nunes, CMMT
Director of Finance / Treasurer

Re: Water District Payment

Please authorize the Town Accountant to make the final payment from the F/Y 05 appropriation to the regional water district in the amount of \$346,500.00.

If you should have any questions, please do not hesitate to contact me.

Cc: Town Accountant

APPROVED BY THE BOARD OF SELECTMEN - JULY 11, 2005

Michael Silvia

Wendell A. Eckerman

Robert J. Maynard

FAIRHAVEN MASS
JUL 11 2005

2005 JUL - 6 A 9 20

RECEIVED

5.

Town of Fairhaven

Massachusetts

Board of Public Works

5 ARSENE STREET
FAIRHAVEN, MASSACHUSETTS 02719
TEL. (508) 979-4030
FAX (508) 979-4086



ROBERT BOSWORTH
FRANK J. REZENDES
RICHARD C. BRODEUR
JACOB GALARY
ROBERT RODERIGUES

MEMO

To: Mr. Michael Silvia, Chairman
Board of Selectmen

From: Robert J. Carey, P.E. *RJC*
Superintendent, Board of Public Works

Re: EMA Trailer at Landfill site on Bridge Street

Date: June 29, 2005

The Board of Public Works would appreciate your input on what is the status of the EMA Trailer at the landfill site on Bridge Street. The BPW prepared the ground and brought the water and sewer services up to the trailer shortly after it was moved to the site at the request of EMA. It has been sitting there for some time now, and it does not appear that improvements have been made to it.

Are there efforts underway or planned to get it ready for occupancy and use? If not, it might be time to suggest removing or relocating the trailer. Please advise.

cc: mad galary 2/13/05

RECEIVED
2005 JUN 30 A 8:47
BOARD OF SELECTMEN
FAIRHAVEN MASS.

6.



GARY S. GOLAS, CHM
Harbor Master

Town of Fairhaven

Massachusetts

Office of the Harbor Master

40 Centre Street, Fairhaven, MA 02719

TO: Selectmen Office
FROM: Gary Golas, Harbormaster, Acting Shellfish Warden
DATE: 7/5/05
RE: Shellfish Deputy / Assistant Harbormaster Appointments

I request the board's consideration of naming two new assistants to help work in times of need for patrols. They include the reappointment of Brian Dawicki, 19 Temple Place, Fairhaven. Mr. Dawicki did serve in this capacity about three years ago but had to leave to serve his military duties. Also I request appointing Octavio Pragana, 75 Crown Drive, West Wareham as well. Mr. Pragana is a retired New Bedford police officer and has many years of experience on the water as a boatowner.

cc: Bonnie 7/18/05

RECEIVED
TOWN OF FAIRHAVEN
MASS.

JUL - 6 - 2005 4:11:37

RECEIVED



I THINK
HUTTLESTON
ROGERS
COMMUNITY PARK

11.

RECEIVED

June 28, 2005 JUN 29 A 10:50

Dear Board of Selectmen:

My name is Paula MacGregor and I am the co-chair of the recently formed volunteer committee focused on the rebuild/remodel of the Rogers' Elementary Schoolyard. In close collaboration with Town Planner Bill Roth, our committee has been diligent in outreaching to the community with new, innovating and exciting fundraising efforts, new plans and direction. We most recently applied for 501C3 Non-profit status through the Federal Government, as of June 21st.

At this time I am requesting the approval of holding a 5K run/walk on August 27th @ 9:00 a.m. I have already spoken to Chief Souza and he has approved the race/route as well as the volunteer race watchers for traffic control. I have approval and support by Richard Brodner, the school principal. I have spoken with the New Bedford Track Club, the Fairhaven High School Track Club, local police officers as well as a local State Trooper who are all willing to help out. Of course, we have many adult volunteers as well. This being our first year, we don't expect a very large turnout. We are hoping for between 75-150 adults. We will also be holding a children's Fun Run at the school that includes racing around the perimeter on the sidewalk, obstacle courses and team relay races. We will be holding a cookout after the events are finished for all who wish to stay.

We held the children's portion of this event back in May and had a great turnout with many smiles and excited children. I already have permission from Chief Souza to use temporary no parking signs on both interior portions of Chestnut and Pleasant St. This keeps it safer for the children while running their races and their parents line the sidewalks keeping them off the streets.

Please see the attached community marketing letter, as well as our mission statement and the race registration form plus the race layout. I have JB Race Management signed on to do the time recordings as well as to help coordinate. I am willing to use the bike path more if you wish or to do a double loop vs. one long loop. Please let me know what your decision is for the best route that suits the town's needs.

I thank you in advance for your consideration and time. I hope if this plan passes, that all of you can come out to support this most deserving cause. We would love to have town officials whenever possible. It should be a fun day for all ages that will have extended benefits most anyone who will visit the future park.

Sincerely,

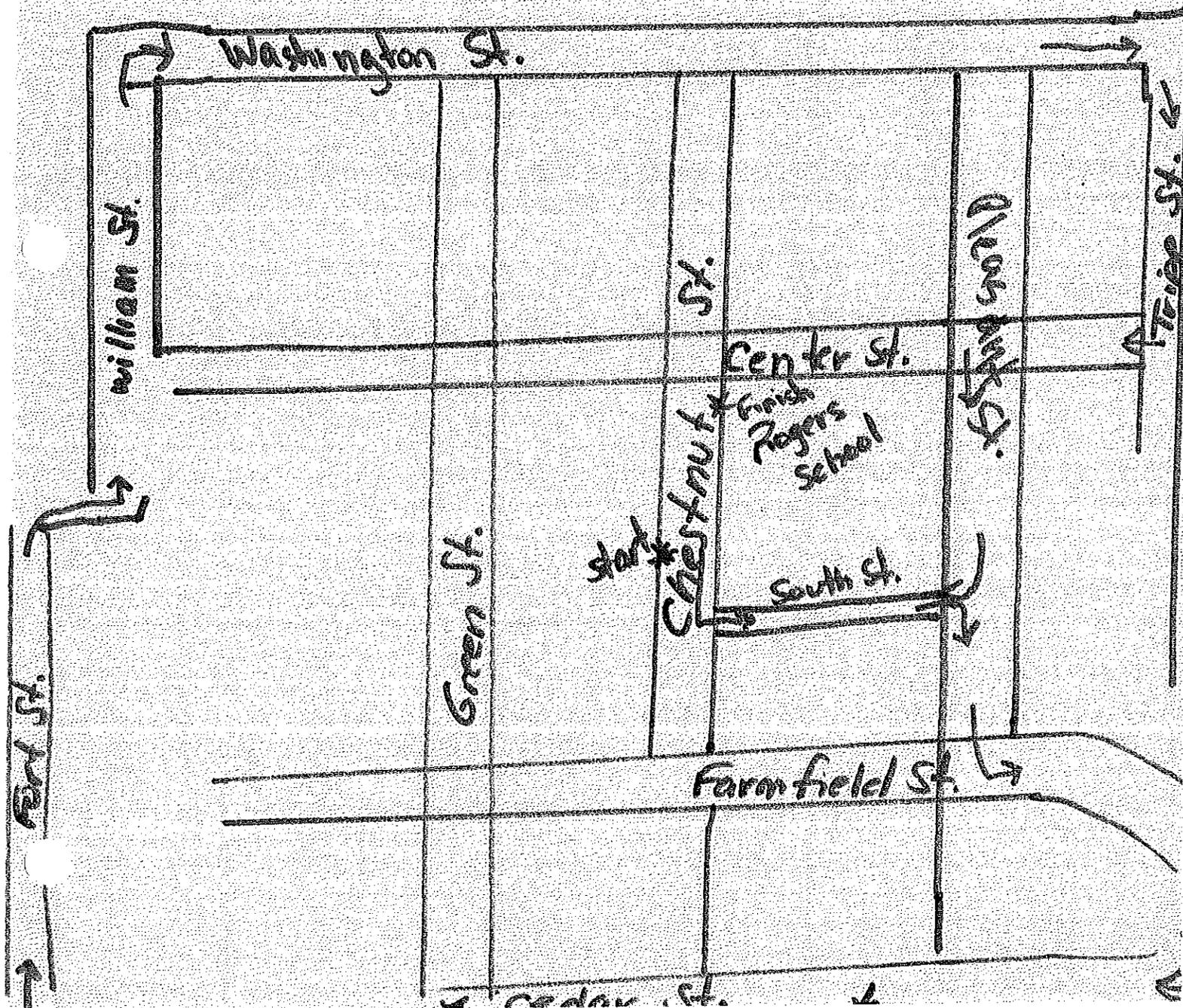
APPROVED BY THE BOARD OF SELECTMEN
JULY 11, 2005

Cc: Chief Gary Souza
Bill Roth
Richard Brodner

Below, please find the proposed course for the 5K run/walk to be held on August 27th @ 9:00 a.m.

Race to start heading south from the West entrance of the schoolyard on Chestnut St., turning left on to South then right onto Pleasant St. Follow to Farmfield St., taking a left and at Cedar turning right. Zig and Zag down Coe, Phoenix and Doane St.'s finally getting to Green. Take left onto Green and then north to Fort St. Follow Fort St. up to William St. and then right down Washington St. down to Tripp St., take right and then west on Center and back towards the start on Chestnut St.

Please contact me at your earliest convenience with your response. 508-993-4487/508-930-4443 cell. P.O. Box 851, Fairhaven, MA-02719. Attn: Paula MacGregor.





GARY F. SOUZA
CHIEF OF POLICE

COMMONWEALTH OF MASSACHUSETTS
TOWN OF FAIRHAVEN

DEPARTMENT OF POLICE
1 BRYANT LANE
FAIRHAVEN, MA 02719

TELEPHONES ¹²
Dial 911 Emergency
(508) 997-7421 Non-Emergency
(508) 997-1344 Business
(508) 997-3147 Fax

DONALD A. JOSEPH
LIEUTENANT

July 7, 2005

Board of Selectmen
Town Hall
40 Center St.
Fairhaven, MA 02719

Gentlemen:

I respectfully request the Board vote to install stop signs on Oliver Street at Mina Street. Specifically, one stop sign on Oliver Street eastbound at Mina Street and one stop sign on Oliver Street westbound at Mina Street. The stop sign on Mina Street at Oliver Street should remain. This action would make this location a three way stop intersection.

While this may appear to be an unusual location to place stop signs, I believe the speed table in the middle of that intersection makes it necessary for public safety.

I have received several complaints about the jarring effect on vehicles and occupants when those vehicles go over the speed table even at the speed limit. I investigated the situation myself and am somewhat concerned about possible damage to vehicles and/or injury to a frail or elderly occupant along with a resultant liability concern to the Town.

I believe that installation of the stop signs is the best way to get people to go over the speed table at a very slow speed and will sharply reduce the potential for damage or injury at that intersection. I also believe that installation of the signs will show, in any situation in which liability becomes an issue, that the Town has taken all reasonable measures to mitigate any potential for damage or injury.

The stop signs may also serve an ancillary function of slowing traffic on that street which may become an even greater problem as the remainder of homes are occupied in the development at the east end of Oliver Street. I stress that the possible effect on the speed of traffic is a by product of this request not the motivating factor.

RECEIVED
2005 JUL -7 P
TOWN OF FAIRHAVEN
MASSACHUSETTS

Sincerely

Gary F. Souza
Chief of Police

APPROVED BY THE BOARD OF SELECTMEN
JULY 11, 2005

cc: Town Clerk - 7/12/05
BPW

PROPOSED STOP SIGNS

OLIVER ST. AT MINA ST.

